

Patent
Attorney Docket No. ITW 7510.029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : James J. Cigelske Jr.
Serial No. : 10/065,774
Filed : November 18, 2002
For : ELECTRICAL SHIELD FOR A WELDING APPARATUS
Group Art No. : 2831
Examiner : Ngo, H.

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OFFICE OF PETITIONS

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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SPECIAL PROCEDURES SUBMISSION

PETITION TO WITHDRAW APPLICATION FROM ISSUANCE
UNDER 37 C.F.R. §1.313(c) (1)

06/14/2004 AKELLEY 00000001 10065774

01 FC:1460

130.00 OP

Dear Sir:

Please find enclosed herewith:

1. An Information Disclosure Statement;
2. An amendment to the claims of the present application to be entered upon granting of this petition; and
3. A credit card authorization in the amount of the \$130.00 for entry and consideration of this petition.

Cigelske, et al.

S/N: 10/065,774

REMARKS

Applicant requests withdrawal from issuance because one or more claims are unpatentable. Under §1.313(c)(1), no request for continued examination is necessary.

In compliance with Applicants' duty of disclosure as set forth in 37 C.F.R. §1.56, listed on the attached equivalent to Form PTO-1449 are those patents, publications, and other information cited in a Search Report mailed to Applicant on March 25, 2004 from the International Preliminary Examining Authority of the European Patent Office which may be considered material to the patentability of the claims of the above-captioned application. The references are believed to be relevant in the art of welding apparatus for which the present claims are directed.

Each item listed on the Information Disclosure Statement was first cited in a communication from a foreign patent office in the foreign counterpart application identified as having application number 03024422.2 and provided not more than three (3) months prior to the filing of this Petition, Amendment, and Information Disclosure Statement.

Applicant respectfully petitions that the above-captioned patent application be withdrawn from issuance and that the documents listed on the attached equivalent to Form PTO-1449 be considered by the Examiner. Applicant requests that the references be made of record in the present application, and that an initialed copy of the duplicate equivalent to Form PTO-1449 be returned to the undersigned in accordance with MPEP 609.

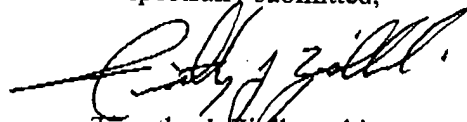
Applicant believes that one reference in particular, USP 6,193,548 Sigl et al., presents a question of patentability with respect to claim 1 and those claims that depend therefrom. Applicant has amended claim 1 to further define the present invention. As amended, claim 1 calls for, in part, an electrical shield at least partially surrounding a majority of the internal stud. The bulkhead insulator of Sigl et al., while at least partially surrounding the receptacle (201), does not surround a majority of the internal stud. As such, at least for those reasons set forth above, Applicant believes claim 1, and those claims that depend therefrom, are now patentably distinct over the art of record and those references cited herewith.

Cigelske, et al.

S/N: 10/065,774

Applicant has included herewith a Credit Card Authorization in the amount of \$130.00 for entry and consideration of this Petition. Also submitted herewith are Amendments and Remarks to be entered upon granting of this petition.

Respectfully submitted,



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Dated: June 8, 2004
Attorney Docket No.: ITW 7510.029

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